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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-52 are pending in the application. Claims 1-52 have been rejected. Claim 27 has been amended.

Claim Objections

In the Office Action, the Examiner objected to claim 27 because of alleged informalities. Claim 27 has been amended in order to cure these informalities. Accordingly, Applicant requests withdrawal of the objection.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-5, 8, 10, 17-19, 23-24, 27-31, 34, 36, 43-45 and 49-50 under 35 U.S.C. § 102(b), as being anticipated by Fritsch (U.S. Patent Publication 2002/0124258). Applicant respectfully asserts that the Examiner has failed to establish a *prima facie* case of anticipation, because the cited reference neither teaches nor suggests every element and limitation recited in independent claims 1 and 27. More specifically, independent claims 1 and 27 of the present Application recite limitations

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pertaining to a method and system for **multicasting an event of interest upon the detection of such an event**, whereas the cited reference teaches a method and system for delivering media programs on demand or near on-demand or live, but fails to teach or suggest detection of an event of interest and multicasting that event of interest to subscribers.

Independent claims 1 and 27, respectively, recite:

1. A method for multicasting an event of interest, the method comprises the steps of:

 detecting an occurrence of an event of interest within a received media stream;

 and

 multicasting at least one media stream of interest that comprises the event of interest.
27. A system for multicasting an event of interest, the method comprises the steps of:

 means for detecting an occurrence of an event of interest within a received media stream; and

 means for multicasting at least one media stream of interest that comprises the event of interest.

Whereas the cited reference generally teaches:

"Improved approaches for delivering media programs to viewers (e.g., subscribers) are disclosed. The media programs are typically broadcast in accordance with a schedule. The media program can be delivered to viewers through multicast or unicast. According to one aspect, the media programs are buffered (e.g., cached) in a data packet format such that producing unicasts for particular viewers requires less computation and resources such that more concurrent unicasts are able to be effectively supported." (Abstract)

In addition, portions of the cited reference describing figures 4 and 5 (column 7 line 31 through column 9 line 5), which the Examiner pointed to in support of his rejection of independent claims 1 and 27 teach as follows:

"FIG. 4 is a block diagram of a media delivery center 400 according to one embodiment of the invention. The media delivery center 400 represents the principal, centrally-located

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components of the media system. The media delivery center 400 includes a media receiving unit 402 that receives incoming media content from various media sources... The media delivery center 400 also includes a media management unit 404. The media management unit 404 receives the digital media content from the media receiving unit 402 and serves to manage the delivery and storage of the media content through use of a media management system 405... FIG. 5 is a flow diagram of client-side delivery control processing 500 according to one embodiment of the invention. The client-side delivery control processing 500 is, for example, performed by a client machine, such as the client machines 164 and 166 illustrated in FIG. 2... At the client device, a user (e.g., subscriber) of the client device is able to interact with the client device to request various operations. These operations include, for example, pause, resume, golive, and instant replay. For example, the user of the client device can request such operations by depressing a button, by a voice command, or by other means. Following the operation 502, a decision 504 determines whether a pause has been requested... Following the operation 518, as well as directly following the decision 516 when the golive operation has not been requested, a decision 520 determines whether an instant replay operation has been requested. When the decision 520 determines that an instant replay operation has been requested, then an instant replay request is sent 522 to the server."

In light of the above excerpts, Applicant respectfully asserts that the Examiner has misinterpreted the cited reference and misapplied the teachings of the cited reference in an erroneous attempt to analogize them with limitations recited in the present Application's independent claims. More specifically, claims 1 and 27 of the present Application clearly recite "multicasting an event of interest..." upon "detecting an occurrence of an event of interest", whereas the cited reference conversely teaches that "a decision 520 determines whether an instant replay operation has been requested. When the decision 520 determines that an instant replay operation has been requested." As shown, the cited reference neither teaches nor suggests the limitations pertaining to detecting occurrences, But rather teaches delivering programs to the subscriber upon receipt of a request by the subscriber.

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Furthermore, the claims of the present Application are directed to generation of a "multicast" stream (steps and elements associated with a broadcaster), whereas the cited reference teaches a client side invoked method associated with the selection of content for presentation on the client side device.

Accordingly, it should be clear to one of ordinary skills in the art that the Fritsch reference fails to teach all the limitations of independent claims 1 and 27.

Applicant respectfully asserts that in light of the above clarifications, it should be clear that independent claims 1 and 27 cannot be anticipated (35 USC 102) by the cited reference, and Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 1 and 27 and all claims dependent upon them.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 6-7 and 32-33 under 35 U.S.C. § 103(a), as being unpatentable over Fritsch (U.S. Patent Publication 2002/0124258) in view of Lee et al (U.S. Patent 6,414,914). The Examiner also rejected claims 9, 20, 35 and 46 under 35 U.S.C. § 103(a), as being unpatentable over Fritsch (U.S. Patent Publication 2002/0124258) in view of Gordon et al (U.S. Patent 6,253,375). The Examiner also rejected claims 11-13, 15, 21-22, 25, 37-39, 41, 47-48 and 51 under 35 U.S.C. § 103(a), as being unpatentable over Fritsch (U.S. Patent Publication 2002/0124258) in view of Gorbatoev et al (U.S. Patent 6,792,617). The Examiner also rejected claims 14, 16, 40 and 42 under 35 U.S.C. § 103(a), as being unpatentable over Fritsch (U.S. Patent Publication 2002/0124258) in view of Barton et al (U.S. Patent Publication 2005/0216942). Finally, The Examiner rejected claims 26 and 52 under 35 U.S.C. § 103(a), as being unpatentable over Fritsch (U.S. Patent Publication 2002/0124258) in view of Lawler et al (U.S. Patent 5,699,107).

Applicant respectfully traverses the rejections of claims over Fritsch (U.S. Patent Publication 2002/0124258) in view of the above stated secondary references, in light of the fact that all claims rejected under 35 U.S.C. § 103(a) are considered allowable by virtue of their dependence on allowable base claims 1 and 27, as established above in the remarks and

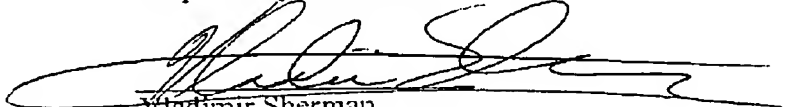
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arguments regarding rejection of claims under 35 U.S.C. § 102(b) over Fritsch (U.S. Patent Publication 2002/0124258).

In view of the foregoing remarks, all the pending claims are considered to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,



Vladimir Sherman
 Attorney for Applicant(s)
 Registration No. 43,116

Dated: September 21, 2008